

104TH CONGRESS
1ST SESSION

S. 223

To authorize the Secretary of the Interior to provide funds to the Palisades Interstate Park Commission for acquisition of land in the Sterling Forest area of the New York/New Jersey Highlands Region, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 1995 (legislative day, JANUARY 10), 1995

Mr. BRADLEY (for himself and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the Secretary of the Interior to provide funds to the Palisades Interstate Park Commission for acquisition of land in the Sterling Forest area of the New York/New Jersey Highlands Region, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sterling Forest Protec-
5 tion Act of 1995”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) the Palisades Interstate Park Commission
2 was established pursuant to a joint resolution of the
3 75th Congress approved in 1937 (Public Resolution
4 No. 65; ch. 706; 50 Stat. 719), and chapter 170 of
5 the Laws of 1937 of the State of New York and
6 chapter 148 of the Laws of 1937 of the State of
7 New Jersey;

8 (2) the Palisades Interstate Park Commission
9 is responsible for the management of 23 parks and
10 historic sites in New York and New Jersey, compris-
11 ing over 82,000 acres;

12 (3) over 8,000,000 visitors annually seek out-
13 door recreational opportunities within the Palisades
14 Park System;

15 (4) Sterling Forest is a biologically diverse open
16 space on the New Jersey border comprising approxi-
17 mately 17,500 acres, and is a highly significant wa-
18 tershed area for the State of New Jersey, providing
19 the source for clean drinking water for 25 percent
20 of the State;

21 (5) Sterling Forest is an important outdoor rec-
22 reational asset in the northeastern United States,
23 within the most densely populated metropolitan re-
24 gion in the Nation;

1 (6) Sterling Forest supports a mixture of hard-
2 wood forests, wetlands, lakes, glaciated valleys, is
3 strategically located on a wildlife migratory route,
4 and provides important habitat for 27 rare or en-
5 dangered species;

6 (7) the protection of Sterling Forest would
7 greatly enhance the Appalachian National Scenic
8 Trail, a portion of which passes through Sterling
9 Forest, and would provide for enhanced recreational
10 opportunities through the protection of lands which
11 are an integral element of the trail and which would
12 protect important trail viewsheds;

13 (8) stewardship and management costs for
14 units of the Palisades Park System are paid for by
15 the States of New York and New Jersey; thus, the
16 protection of Sterling Forest through the Palisades
17 Interstate Park Commission will involve a minimum
18 of Federal funds;

19 (9) given the nationally significant watershed,
20 outdoor recreational, and wildlife qualities of Ster-
21 ling Forest, the demand for open space in the north-
22 eastern United States, and the lack of open space in
23 the densely populated tri-state region, there is a
24 clear Federal interest in acquiring the Sterling For-
25 est for permanent protection of the watershed, out-

1 door recreational resources, flora and fauna, and
2 open space; and

3 (10) such an acquisition would represent a cost
4 effective investment, as compared with the costs that
5 would be incurred to protect drinking water for the
6 region should the Sterling Forest be developed.

7 **SEC. 3. PURPOSES.**

8 The purposes of this Act are—

9 (1) to establish the Sterling Forest Reserve in
10 the State of New York to protect the significant wa-
11 tershed, wildlife, and recreational resources within
12 the New York-New Jersey highlands region;

13 (2) to authorize Federal funding, through the
14 Department of the Interior, for a portion of the ac-
15 quisition costs for the Sterling Forest Reserve;

16 (3) to direct the Palisades Interstate Park
17 Commission to convey to the Secretary of the Inte-
18 rior certain interests in lands acquired within the
19 Reserve; and

20 (4) to provide for the management of the Ster-
21 ling Forest Reserve by the Palisades Interstate Park
22 Commission.

23 **SEC. 4. DEFINITIONS.**

24 In this Act:

1 (1) COMMISSION.—The term “Commission”
2 means the Palisades Interstate Park Commission es-
3 tablished pursuant to Public Resolution No. 65 ap-
4 proved August 19, 1937 (ch. 707; 50 Stat. 719).

5 (2) RESERVE.—The term “Reserve” means the
6 Sterling Forest Reserve.

7 (3) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 **SEC. 5. ESTABLISHMENT OF THE STERLING FOREST RE-**
10 **SERVE.**

11 (a) ESTABLISHMENT.—Upon the certification by the
12 Commission to the Secretary that the Commission has ac-
13 quired sufficient lands or interests therein to constitute
14 a manageable unit, there is established the Sterling Forest
15 Reserve in the State of New York.

16 (b) MAP.—

17 (1) COMPOSITION.—The Reserve shall consist
18 of lands and interests therein acquired by the Com-
19 mission within the approximately 17,500 acres of
20 lands as generally depicted on the map entitled
21 “Boundary Map, Sterling Forest Reserve”, num-
22 bered SFR-60,001 and dated July 1, 1994.

23 (2) AVAILABILITY FOR PUBLIC INSPECTION.—
24 The map described in paragraph (1) shall be on file
25 and available for public inspection in the offices of

1 the Commission and the appropriate offices of the
2 National Park Service.

3 (c) TRANSFER OF FUNDS.—Subject to subsection
4 (d), the Secretary shall transfer to the Commission such
5 funds as are appropriated for the acquisition of lands and
6 interests therein within the Reserve.

7 (d) CONDITIONS OF FUNDING.—

8 (1) AGREEMENT BY THE COMMISSION.—Prior
9 to the receipt of any Federal funds authorized by
10 this Act, the Commission shall agree to the follow-
11 ing:

12 (A) CONVEYANCE OF LANDS IN EVENT OF
13 FAILURE TO MANAGE.—If the Commission fails
14 to manage the lands acquired within the Re-
15 serve in a manner that is consistent with this
16 Act, the Commission shall convey fee title to
17 such lands to the United States, and the agree-
18 ment stated in this subparagraph shall be re-
19 corded at the time of purchase of all lands ac-
20 quired within the Reserve.

21 (B) CONSENT OF OWNERS.—No lands or
22 interest in land may be acquired with any Fed-
23 eral funds authorized or transferred pursuant
24 to this Act except with the consent of the owner
25 of the land or interest in land.

1 (C) INABILITY TO ACQUIRE LANDS.—If the
2 Commission is unable to acquire all of the lands
3 within the Reserve, to the extent Federal funds
4 are utilized pursuant to this Act, the Commis-
5 sion shall acquire all or a portion of the lands
6 identified as “National Park Service Wilderness
7 Easement Lands” and “National Park Service
8 Conservation Easement Lands” on the map de-
9 scribed in section 5(b) before proceeding with
10 the acquisition of any other lands within the
11 Reserve.

12 (D) CONVEYANCE OF EASEMENT.—Within
13 30 days after acquiring any of the lands identi-
14 fied as “National Park Service Wilderness
15 Easement Lands” and “National Park Service
16 Conservation Easement Lands” on the map de-
17 scribed in section 5(b), the Commission shall
18 convey to the United States—

19 (i) conservation easements on the
20 lands described as “National Park Service
21 Wilderness Easement Lands” on the map
22 described in section 5(b), which easements
23 shall provide that the lands shall be man-
24 aged to protect their wilderness character;
25 and

1 (ii) conservation easements on the
2 lands described as “National Park Service
3 Conservation Easement Lands” on the
4 map described in section 5(b), which ease-
5 ments shall restrict and limit development
6 and use of the property to that develop-
7 ment and use that is—

8 (I) compatible with the protection
9 of the Appalachian National Scenic
10 Trail; and

11 (II) consistent with the general
12 management plan prepared pursuant
13 to section 6(b).

14 (2) MATCHING FUNDS.—Funds may be trans-
15 ferred to the Commission only to the extent that
16 they are matched from funds contributed by non-
17 Federal sources.

18 **SEC. 6. MANAGEMENT OF THE RESERVE.**

19 (a) IN GENERAL.—The Commission shall manage the
20 lands acquired within the Reserve in a manner that is con-
21 sistent with the Commission’s authorities and with the
22 purposes of this Act.

23 (b) GENERAL MANAGEMENT PLAN.—Within 3 years
24 after the date of enactment of this Act, the Commission

1 shall prepare a general management plan for the Reserve
2 and submit the plan to the Secretary for approval.

3 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—There are authorized to be appro-
5 priated such sums as are necessary to carry out this Act,
6 to remain available until expended.

7 (b) LAND ACQUISITION.—Of amounts appropriated
8 pursuant to subsection (a), the Secretary may transfer to
9 the Commission not more than \$17,500,000 for the acqui-
10 sition of lands and interests in land within the Reserve.

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